IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.1921 of 2007

Mr.Santosh Suryakant Mane — Petitioner
Vs.
Mr.Sanjay Dnyaneshwar Godbole
and ors. — Respondents

Mr.Gajendrasinh Jadhavrao for petitioner.

CORAM: B.H.MARLAPALLE,J.

March 22, 2007.

P.C.

. In Regular Civil Suit No.311 of 1995 decree for eviction came to be passed by the learned Addl. Judge of the Small Causes Court at Pune on 22/2/2000 and the said decree was challenged in Regular Civil Appeal No.434 of 2000 which has been dismissed by the 3rd Ad-hoc Addl. District Judge on 4/5/2002 and these orders came to be challenged in Writ Petition No.7201 of 2002. The petition was disposed off by the order dated 19/12/2002 by remitting the appeal back to the lower appellate court and finally on 24/1/2007 the lower appellate court was pleased to dismiss the appeal by confirming the decree of eviction. The orders impugned in this petition are thus passed by the subordinate Courts and, therefore, the petitioner - original defendant no.2 has a statutory remedy of filing civil revision application

under Section 115 of the Civil Procedure Code. By a reasoned order dated 24/8/2006 in Writ Petition No.4138 of 2006 I have taken such a view and, therefore, the statutory remedy is available and writ petition under Articles 226 and 227 need not be entertained.

. The petition is disposed with liberty to file a civil revision application. Annexures to the petition memo be returned, if applied for.

(B.H